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*Admitted only in Maryland
†Admitted only in Virginia
‡Admitted only in Texas

February 19, 2002

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WRITER'S DIRECT NUMBER:
(202) 218-7824
INTERNET ADDRESS:
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BOX: CPA

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Utility Patent Application
Request for Continued Prosecution Application (CPA)
Appl. No. 09/229,173; Filed: January 13, 1999
For: **Cloned DNA Polymerases From *Thermotoga maritima* and Mutants Thereof**
Inventor: Deb K. CHATTERJEE
Our Ref: 0942.2800008/RWE/RCM/GLL
Art Unit: 1652

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal Form PTO/SB/17;
2. CPA Transmittal Form PTO/SB/29;
3. Communication;
4. Authorization To Treat A Reply As Incorporating An Extension Of Time Under 37 C.F.R. § 1.136(a)(3);
5. Our check no. 34224 in the amount of \$866.00 to cover: \$740.00 for Basic filing fee (37 C.F.R. § 1.16(a)); and \$126.00 for excess claim fee; and
6. One return postcard.

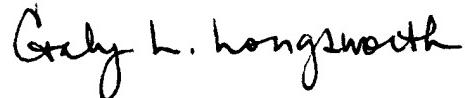
Commissioner for Patents
February 19, 2002
Page 2

It is respectfully requested that the attached postcard be stamped with the filing date of these documents and returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Gaby L. Longsworth
Agent for Applicant
Registration No. 47,756

RWE/RCM/GLL/eak
Enclosures
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skgf. rev. 2/12/02 dcw

24
AB
02/25/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CHATTERJEE, Deb K.

Appl. No. 09/229,173

Filed: January 13, 1999

For: **Cloned DNA Polymerases From
Thermotoga maritima and
Mutants Thereof**

Confirmation No. 7438

Art Unit: 1652

Examiner: Hutson, R.

Atty. Docket: 0942.2800008/RWE/RCM/GLL



Communication

Commissioner for Patents
Washington, D.C. 20231

Sir:

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During a recent telephonic conversation with Applicants' undersigned representative, the Examiner agreed to schedule an interview prior to substantive examination. Thus, Applicants will contact the Examiner to schedule an interview in March 2002.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Gaby L. Longsworth
Gaby L. Longsworth
Agent for Applicant
Registration No. 47,756

Date: February 19, 2002
1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Deb K. CHATTERJEE

Appl. No. 09/229,173

Filed: January 13, 1999

For: **Cloned DNA Polymerases From
Thermotoga maritima and
Mutants Thereof**

Confirmation No. 7438

Art Unit: 1652

Examiner: Hutson, Richard G.

Atty. Docket: 0942.2800008/RWE/RCM/GLL

**Authorization To Treat A Reply As Incorporating An Extension Of
Time Under 37 C.F.R. § 1.136(a)(3)**

Commissioner for Patents
Washington, D.C. 20231

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Gaby L. Longsworth

Gaby L. Longsworth
Agent for Applicant
Registration No. 47,756

Date: February 19, 2002
1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
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**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX if applicable:
 DUPLICATE

Address to:	Attorney Docket No. of Prior Application	0942.2800008/RWE/RCM/GLL
	First Named Inventor	Deb K. CHATTERJEE
	Examiner Name	Hutson, Richard G.
	Group/Art Unit	1652
	Express Mail Label No.	

This is a request for a continuation or divisional application under 37 CFR § 1.53(d),
(continued prosecution application (CPA)) of the prior application number 09/229,173, filed on January 13, 1999,
entitled: Cloned DNA Polymerases From Thermotoga maritima and Mutants Thereof.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR § 1.51(b) or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice Changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR § 1.53(d), but must be filed under 37 CFR § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the application under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR § 1.78(a).

Warning: Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. Enter the unentered amendment previously filed on _____ under 37 CFR § 1.116 in the prior nonprovisional application.
2. A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR § 1.53(d)(4).
 - a. **DELETE** the following inventor(s) named in the prior nonprovisional application:
.....
 - b. The inventor(s) to be deleted are set forth in a separate sheet attached hereto.
4. A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. PTO-1449
 - b. Copies of IDS citations

[Page 1 of 2]

Burden Hour Statement: this form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

02/21/2002 GTEFFERA 00000029 09229173

01 FC:131

740.00 OP

02 FC:103

126.00 OP

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR § 1.16(c) or (j))	27-20* =	7	x \$ 18.00 =	\$126.00
	INDEPENDENT CLAIMS (37 CFR § 1.16(b) or (i))	3-3** =	0	x \$ 84.00 =	\$0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR § 1.16(d))			x \$ 280.00 =	
				BASIC FEE (37 CFR §1.16)	\$ 740.00
			Total of above Calculations =		\$866.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				
	* Reissue claims in excess of 20 and over original patent. **Reissue independent claims over original patent.		TOTAL =		\$866.00

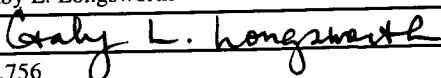
6. Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 19-0036:
- a. Fees required under 37 CFR § 1.16. b. Fees required under 37 CFR § 1.17.
- c. Fees required under 37 CFR § 1.18.
8. A check in the amount of \$866.00 is enclosed.
9. Payment by credit card. Form PTO-2038 is enclosed.
10. Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. New Attorney Docket Number, if desired _____
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a. Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
b. Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. Other: Authorization To Treat A Reply As Incorporating An Extension Of Time Under 37 C.F.R. § 1.136(a)(3)
 Other: The Name of the Assignee is: Life Technologies, Inc.
 Other: Communication
 Other: _____

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.**14. NEW CORRESPONDENCE ADDRESS**

<input checked="" type="checkbox"/> Customer Number or Bar Code Label Customer No. 26111	(Insert Customer Number or Bar Code Label here) 	<input type="checkbox"/> New correspondence address below 26111 PATENT TRADEMARK OFFICE
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Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.		
Address			
City	State	Zip Code	
Country	Telephone	Fax	

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Gaby L. Longsworth
Signature	
Registration No.(Attorney/Agent)	47,756
Date	February 19, 2002

